

**State of New York
Commission on Judicial Nomination**

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December 1, 2016
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FOR IMMEDIATE RELEASE

**The Commission on Judicial Nomination Releases List of Seven Nominees In
Connection With Vacancy**

Under New York's State Constitution, the Commission on Judicial Nomination is charged with evaluating, and then recommending to the Governor, candidates to fill vacancies on the State's highest court, the Court of Appeals of the State of New York. The Commission vigorously seeks out, carefully evaluates and then nominates to the Governor well qualified candidates from the extraordinary, diverse community of lawyers who have been admitted to practice in New York State for at least 10 years.

In connection with the vacancy on the Court created by the mandatory retirement of Senior Associate Judge Eugene F. Pigott, Jr. on December 31, 2016, the Commission today has released its Report to the Governor. The Report contains the names of seven candidates who, in the Commission's collective judgment, are well qualified, by virtue of their character, temperament, professional aptitude, experience, qualifications and fitness for office, to fulfill the duties of that high office.

The Commission's Report follows months of outreach efforts that were conducted through public announcements, individual solicitations of applications and an informational

meeting held by the Commission in New York City. These efforts resulted in the receipt of 35 applications. The applicant pool was diverse. Of those 35 applicants, 12 (34%) were women and 9 (25%) of diverse backgrounds. The Commission interviewed 21 candidates, of whom 8 (38%) were women and 6 (29%) were ethnic minorities.

Alan Mansfield, Interim Chair of the Commission, stated: “The extraordinary quality of our applicants is noteworthy. The number of exceptional and diverse candidates reflects the unparalleled depth of the legal profession in New York.”

The Commission’s seven nominees (in alphabetical order) to the Governor are:

- Eric O. Corngold, Esq., attorney in private practice (Friedman Kaplan Seiler & Adelman LLP);
- Hon. Judith J. Gische, Associate Justice, Appellate Division, First Department;
- Caitlin J. Halligan, Esq., attorney in private practice (Gibson, Dunn & Crutcher LLP);
- Hon. Erin M. Peradotto, Associate Justice, Appellate Division, Fourth Department;
- Benjamin E. Rosenberg, Esq., General Counsel, New York County District Attorney’s Office;
- Robert A. Spolzino, Esq., attorney in private practice (Wilson Elser Moskowitz Edelman & Dicker, LLP);
- Rowan D. Wilson, Esq., attorney in private practice (Cravath, Swaine & Moore LLP).

By law, the Governor is required to make his appointment from among this list no sooner than January 1, 2017 nor later than January 15, 2017. The State Senate then, within 30 days after receipt of the Governor’s choice, must confirm or reject the appointment.

The next scheduled vacancy on the Court of Appeals will occur on January 1, 2022, due to Associate Judge Eugene M. Fahey’s mandatory retirement by reason of age.

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December 1, 2016

The Honorable Andrew M. Cuomo
Executive Chamber
State Capitol
Albany, New York 12224

Dear Governor Cuomo:

As Interim Chair of the Commission on Judicial Nomination, it is my privilege to report to you on behalf of the Commission, pursuant to Article 6, Section 2 of the Constitution, and Section 63(3) of Article 3-A of the Judiciary Law, the names of seven candidates for your consideration for appointment to the office of Associate Judge of the Court of Appeals of the State of New York. These candidates in the collective judgment of the Commission are well qualified, by virtue of their character, temperament, professional aptitude, experience, qualifications and fitness for office, to discharge the duties of that high office. The vacancy in that office is the result of the mandatory retirement of Senior Associate Judge Eugene F. Pigott, Jr. by reason of age, as of December 31, 2016.

In assembling the Candidate List, the Commission complied with its mandate to “conduct broad outreach to encourage wide participation in the application process.” 22 N.Y.C.R.R. § 7100.6. For example, the Commission disseminated statewide notice of the vacancy and application procedure, and continued its outreach efforts through the date of the application deadline. Notice was sent to the media, bar associations, New York law schools, and members of the judiciary. The Commissioners also engaged in individual solicitation of applications by qualified candidates.

Furthermore, the Commission extended its original deadline for submitting applications for this vacancy from September 16, 2016 to September 26, 2016 to ensure that the size and composition of the pool of applicants represented the broadest possible spectrum of qualified candidates, and to give applicants additional time during the summer months. In its press release announcing the extension, the Commission stated that it would take a fresh look at all applications, evaluating candidates who previously submitted applications for past vacancies and reapplied for the forthcoming Associate Judge vacancy, as well as considering all new applicants.

On September 8, 2016, the Commission conducted an informational meeting at the New York City Bar Association, concerning the vacancy and the candidate application process. The meeting included as speakers and panelists: Michael A. Cardozo, former Corporation Counsel of the City of New York; Carmen Beauchamp Ciparick, former Associate Judge of the Court of Appeals; John S. Kiernan, President, New York City Bar Association; Jonathan Lippman, former Chief Judge of the Court of Appeals; Susan Phillips Read, former Associate Judge of the Court of Appeals; Henry M. Greenberg, Counsel to the Commission; and me.

These outreach efforts were successful. The Commission disseminated 71 applications through its website. Ultimately, 35 candidates submitted applications to the Commission. Of the 35 candidates, 25 of them had previously submitted applications for at least one prior vacancy, and 10 candidates newly applied for the current vacancy. Approximately 12 (34%) of the applications were submitted by female candidates and 9 (25%) by candidates of diverse backgrounds.

The Commission met on November 28 and 29, 2016, to conduct in-person interviews of 21 candidates for the current vacancy. Of those 21 candidates, 8 (38%) were female, and 6 (29%) were ethnic minorities. The Commission interviewed candidates from around the State, of varying personal and professional backgrounds, and drawing from the bench, the practicing bar and academia.

Consistent with past practice, the Commission staff investigated the qualifications of the applicants. The result of each investigation was reported to the Commission and discussed before and after the interviews. The Commission sought by its investigations and interviews to address each candidate's character, temperament, professional aptitude, experience, qualifications and fitness for office.

The candidates thus nominated by the Commission for the office of Associate Judge (listed in alphabetical order) are:

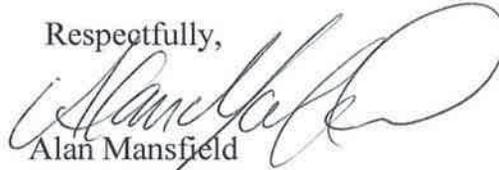
- Eric O. Corngold, Esq., attorney in private practice (Friedman Kaplan Seiler & Adelman, LLP);
- Hon. Judith J. Gische, Associate Justice, Appellate Division, First Department;

- Caitlin J. Halligan, Esq., attorney in private practice (Gibson, Dunn & Crutcher LLP);
- Hon. Erin M. Peradotto, Associate Justice, Appellate Division, Fourth Department;
- Benjamin E. Rosenberg, Esq., General Counsel, New York County District Attorney's Office;
- Robert A. Spolzino, Esq., attorney in private practice (Wilson Elser Moskowitz Edelman & Dicker LLP);
- Rowan D. Wilson, Esq., attorney in private practice (Cravath, Swaine & Moore LLP).

Each candidate recommended for the office of Associate Judge has been interviewed by the Commission and each has filed the financial statement required by law, which is being transmitted to you separately. A summary of the careers of the recommended candidates is attached.

Section 66(2) of the Judiciary Law provides that “[t]he governor shall have access to all papers and information relating to persons recommended to him by the commission.” At your request, the Commission will furnish you with any such material or information, which requests should be directed to the Commission’s Counsel, Henry M. Greenberg.

Respectfully,



Alan Mansfield
Interim Chair

NOMINEE BIOGRAPHIES (in alphabetical order)

Eric O. Corngold, Esq.

Eric O. Corngold, a partner at the law firm of Friedman Kaplan Seiler & Adelman, LLP, was found by the Commission to be well qualified for the position of Associate Judge of the State of New York based on his character, temperament, professional aptitude, experience, qualifications and fitness for office. He was interviewed by the Commission on November 29, 2016.

Mr. Corngold received his undergraduate degree (with honors, Phi Beta Kappa) from Swarthmore College in 1980 and law degree in 1984 from Yale Law School, where he was Senior Editor of the Yale Law Journal. He began his legal career as an associate at Hughes Hubbard & Reed. From 1985 to 1986, he served as Law Clerk to Hon. Charles P. Sifton of the United States District Court for the Eastern District of New York. Following his clerkship, he joined Kramer, Levin, Nessen, Kamin & Frankel. In 1990, he became an Assistant United States Attorney for the Eastern District of New York, where he later served as Chief and Deputy Chief of the General Crimes Unit from 1996 to 1999, Chief of the Business and Securities Fraud Unit from 1999 to 2005, and Chief Assistant United States Attorney from 2005 to 2007. In 2007, he joined the Office of the New York State Attorney General, where he served as Executive Deputy Attorney General for Economic Justice. He remained in that post until 2010, when he returned to private practice at his current law firm.

Mr. Corngold has been an Adjunct Professor of Law at St. John's University School of Law since 2000 and at Fordham University School of Law from 1995 to 2000. He currently is a Trustee of The State University of New York (SUNY), and served as a Commissioner of the Moreland Commission to Investigate Public Corruption, from 2013 to 2014.

Hon. Judith J. Gische

Judith J. Gische, an Associate Justice of the Appellate Division, First Department, was found by the Commission to be well qualified for the position of Associate Judge based on her character, temperament, professional aptitude, experience, qualifications and fitness for office. She was previously nominated by the Commission for the position of Associate Judge of the Court of Appeals in 2015. She was interviewed by the Commission for Judge Pigott's vacancy on November 28, 2016.

Justice Gische received her undergraduate degree (magna cum laude, Phi Beta Kappa) from The State University of New York at Buffalo in 1977 and law degree from SUNY Buffalo Law School in 1980. She served as a Judicial Clerk for the Appellate Division, Third Department, from 1980 through 1981, after which she was in private practice in New York City from 1982 until 1990. From 1990 to 1993, she was a Judge of the Housing Part of the Civil Court of the City of New York. In 1993, she was elected Judge of the Civil Court of the City of New York, and in 1997 was appointed Acting Justice of the New York State

Supreme Court. In 2008, she was elected Justice of the New York State Supreme Court. She was appointed to the Appellate Division in 2012.

Justice Gische has served as an Adjunct Professor at New York Law School, and a lecturer and mentor for the Summer Justice Academy for Young Women, a collaboration of the New York State Women Judges Association and Pace Law School. She currently serves as Chair of the Judicial Section of the New York County Bar Association, Board member of the New York City chapter of the New York Women's Bar Association, and member of the Dean's Advisory Committee of SUNY Buffalo Law School.

Caitlin J. Halligan, Esq.

Caitlin J. Halligan, a partner at the law firm of Gibson, Dunn & Crutcher LLP, was found by the Commission to be well qualified for the position of Associate Judge based on her character, temperament, professional aptitude, experience, qualifications and fitness for office. She was previously nominated by the Commission for the positions of Chief Judge and Associate Judge of the Court of Appeals in 2015. She was interviewed by the Commission for Judge Pigott's vacancy on November 28, 2016.

Ms. Halligan received her undergraduate degree (cum laude) from Princeton University in 1988 and law degree from Georgetown University Law Center (magna cum laude) in 1995. She was Managing Editor of the Georgetown Law Review. Upon graduation from law school, she served as Law Clerk to Hon. Patricia Wald of the United States Court of Appeals for the District of Columbia Circuit (1995 to 1996) and Hon. Stephen Breyer, Associate Justice of the Supreme Court of the United States (1997 to 1998). She also served as an associate at Wiley, Rein, and Fielding in Washington, D.C. (1996 to 1997) and Howard, Smith & Levin in New York City (1998 to 1999).

From 1999 to 2000, Ms. Halligan served as head of the Internet Bureau in the Office of the New York State Attorney General. In 2001, she became First Deputy Solicitor General for the State of New York, and from 2001 to 2007 served as Solicitor General for the State of New York. Ms. Halligan returned to private practice in 2007 as a partner at Weil, Gotshal & Manges LLP. In 2009, she became General Counsel to the New York County District Attorney's Office. She remained in that post until 2013, when she joined her current law firm.

Since 2005, Ms. Halligan has been a member of Columbia Law School's Adjunct Faculty.

Hon. Erin M. Peradotto

Justice Erin M. Peradotto, an Associate Justice of the Appellate Division, Fourth Department, was found by the Commission to be well qualified for the position of Associate Judge based on her character, temperament, professional aptitude, experience, qualifications and fitness for office. She was previously nominated by the Commission for

the position of Associate Judge of the Court of Appeals in 2014 and 2015. She was interviewed by the Commission for Judge Pigott's vacancy on November 29, 2016.

Justice Peradotto received her undergraduate degree (magna cum laude, Phi Beta Kappa) from The State University of New York at Buffalo in 1981 and law degree from SUNY Buffalo Law School in 1984. From 1985 to 1987, she worked in private practice as a trial attorney. From 1997 to 1998, she served as Assistant Attorney General in Charge of the Buffalo Regional Office of the New York State Attorney General. She returned to private practice from 1999 to 2004, when she was elected Justice of the New York State Supreme Court. She was appointed to the Appellate Division in 2006.

Justice Peradotto has served on the New York State Ethics Commission for the Unified Court System since 2011, and was President of the Bar Association of Erie County from 1997 to 1998. She also served on the State of New York's Attorney Grievance Committee for the 8th Judicial District from 2001 to 2003. She has served as a delegate to the New York State Bar Association's House of Delegates, a director of the Women Lawyers of Western New York, a director of the Volunteer Lawyers Project, and a director of the SUNY at Buffalo Law Alumni Association.

Benjamin E. Rosenberg, Esq.

Benjamin E. Rosenberg, currently General Counsel to the New York County District Attorney, was found by the Commission to be well qualified for the position of Associate Judge of the State of New York based on his character, temperament, professional aptitude, experience, qualifications and fitness for office. He was previously nominated by the Commission for the position of Associate Judge of the Court of Appeals in 2015. He was interviewed by the Commission for Judge Pigott's vacancy on November 29, 2016.

Mr. Rosenberg received his undergraduate degree (magna cum laude) from Harvard College in 1981 and law degree (magna cum laude) from Harvard Law School, where he was Editor and Treasurer of the Harvard Law Review. He served as Law Clerk to Hon. Edward R. Becker of the United States Court of Appeals for the Third Circuit. He was an associate at Wachtell, Lipton, Rosen & Katz LLP from 1986 through 1990. From 1990 to 1994, he served as an Assistant United States Attorney for the Southern District of New York. In 1994, he returned to private practice and became a partner in 1996 at the law firm now known as Dechert, LLP. He interrupted his private practice in 2007, when he served as Chief Trial Counsel to the New York State Attorney General. He returned to Dechert, LLP in 2008 and remained there until 2014, when he assumed his present position.

Mr. Rosenberg is a lecturer in both the Law and American Studies departments at Columbia Law School, on topics ranging from corporate investigations and sentencing to the Supreme Court in American History.

Robert A. Spolzino, Esq.

Robert A. Spolzino, a partner at the law firm of Wilson Elser Moskowitz Edelman & Dicker LLP, was found by the Commission to be well qualified for the position of Associate Judge of the State of New York based on his character, temperament, professional aptitude, experience, qualifications and fitness for office. He was interviewed by the Commission on November 28, 2016.

Mr. Spolzino received his undergraduate degree (cum laude) from Georgetown University in 1980 and law degree from St. John's University School of Law in 1983. After graduating from law school he served as an Appellate Court Attorney for the Appellate Division, Second Department until 1984. He served as Confidential Law Secretary to Hon. Kenneth H. Lange of the Westchester County Court from 1984 to 1985, and to Hon. Leon D. Lazer, Senior Associate Justice of the Appellate Division, Second Department, from 1985 to 1986. Mr. Spolzino was in private practice from 1987 to 2001, and also served as Deputy Village Attorney and Town Prosecutor of Mount Kisco, New York from 1987 to 1988, Village Attorney for Mount Kisco from 1988 to 1995, counsel to former New York State Senator Nicolas A. Spano in 1997, and as a Government Relations Consultant to the Westchester Board of Legislators from 1998 to 2001.

In 2001, Mr. Spolzino was elected Justice of the New York State Supreme Court, Westchester County, and served in that capacity until 2004, when he was appointed Associate Justice of the Appellate Division, Second Department. In 2009, Mr. Spolzino returned to private practice with his current law firm.

Mr. Spolzino served as an Adjunct Professor at Pace University School of Law from 2007 to 2013. He currently serves as the Administrator of the Catalyst Public Interest Fellowship Fund, and is a member of the Board of Directors of Northwell Health, the Board of Directors of Stellaris Health Care Corporation, the Board of Directors of Richmond Community Services, the Board of Trustees of Northern Westchester Hospital, and the Board of Governors of Health Care Trustees of New York State.

Rowan D. Wilson, Esq.

Rowan D. Wilson, a partner at the law firm of Cravath, Swaine & Moore in New York City, was found by the Commission to be well qualified for the position of Associate Judge based on his character, temperament, professional aptitude, experience, qualifications and fitness for office. He was previously nominated by the Commission for the position of Associate Judge of the Court of Appeals in 2013, 2014 (twice) and 2015, and for the position of Chief Judge in 2015. He was interviewed by the Commission for Judge Pigott's vacancy on November 29, 2016.

Mr. Wilson received his undergraduate degree (cum laude) from Harvard College in 1981 and law degree (cum laude) in 1984 from Harvard Law School, where he was a member of the Civil Rights/Civil Liberties Law Review. From 1984 to 1986, he served as Law Clerk to

Hon. James R. Browning, Chief Judge of the United States Court of Appeals for the Ninth Circuit. Following the clerkship, he joined Cravath as an associate and became a partner in 1992.

In his litigation practice, Mr. Wilson has handled cases in the areas of antitrust, intellectual property, contract, securities fraud, civil rights and employment law. He is currently the partner in charge of supervision of Cravath's pro bono work and has also been actively involved in pro bono matters himself, including representation of a class of employees of Jefferson County, Alabama, in an ongoing lawsuit alleging non-compliance with a consent decree designed to assure fair hiring practices and opportunities for career advancement for minorities.

Mr. Wilson has served as Chair of the Neighborhood Defender Service of Harlem since 1996, and is on the Board of Directors of Wide Horizons for Children.